

### **REMARKS/ARGUMENTS**

The Office Action of July 14, 2004 (hereinafter the Action) has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Portions of the specification have been amended to overcome objections thereto. Claims 1-59 are pending in the application. By this amendment, claims 1, 5, 7, 9, 10, 19-41, 45-47, and 52-59 have been amended to more clearly recite subject matter Applicants regard as the invention. Claim 8 has been rewritten in independent form to include the subject matter of its base claim, and new claims 60 and 61 have been added. The basis for the amendments can be found in the specification and drawings as originally filed.

#### *Specification Objections*

The Action objected to the length of the disclosure's abstract under 37 C.F.R. 1.72(b). Applicants have amended the abstract of the disclosure as included herein. Applicants submit that the amended abstract now complies with the requirements and requests that the objection be withdrawn.

The Action further objected to the incorporation by reference of U.S. Application 09/469,102 (improperly printed as "09/469/02"). Applicants have amended the specification to refer to the corresponding patent number, U.S. patent 6,734,886.

The Action also objected to hyperlinks, blank sections, and misspellings in the application. Applicants have amended the specification as set forth above in order to address these issues. Applicants respectfully submit that the amended specification is now in proper format.

#### *Claim Rejections under 35 U.S.C. § 112*

Claims 44-46 stand rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement. The Action alleged that subject matter within the claims were not described in the specification in such a way as to enable one skilled in the art to use "de-identification." Applicants respectfully submit that U.S. Patent 6,734,886, which is incorporated

by reference into the application, provides sufficient enablement for these claims. As such, Applicants respectfully request that these rejections be reconsidered and withdrawn.

Claims 9 and 10 stand rejected under 35 U.S.C. § 112, second paragraph, for lacking sufficient antecedent basis for the feature “said display.” Applicants have been amended claims 9 and 10 to provide sufficient antecedent for the term “said display,” and respectfully request that these rejections be reconsidered and withdrawn.

Claim 18 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite for allegedly failing to define the feature “analytics console.” Applicants submit that an analytics console has been adequately described in the claim itself as originally filed, and further described in figure 10 (item 1322) as well as in the accompanying description in and around paragraphs 55-57. Applicants therefore respectfully request that this rejection be reconsidered and withdrawn.

*Claim Rejections under 35 U.S.C. § 102(e)*

Claims 1-15, 18, 19, 21-23, 25-50, 52, 53, and 55-58 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,151,584 to Papierniak *et al* (hereinafter *Papierniak*).

With regard to independent claims 1, 19, 31, 40, 41, 52, and 57, the Action alleges that *Papierniak* discloses a method of capture with enhanced analysis techniques to exploit vast information through uses of the web ... results in better (statistical) decisions. Applicants respectfully traverse these rejections and request reconsideration and allowance of these claims.

*Papierniak* neither explicitly nor implicitly describes each and every element of claims 1, 19, 31, 40, 41, 52, and 57. A claim is anticipated by a § 102(e) reference only if each and every feature as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP § 2131.01. *Papierniak* discloses systems and method which combine an improved method of data capture with enhanced analysis techniques to exploit web server data. The results are used to enable better business decisions made faster. (Col. 3, lines 20-27). *Papierniak* additionally discloses parsing, categorizing, indexing, and formatting collected data in a structured way, enabling easy use of long term and policy-related knowledge. (Col. 13, lines 18-24).

*Papierniak*, however, does not disclose the feature of an ontology used for tagging either user data or content. *Papierniak* does not even hint at a collection of nodes representing related

concepts and a plurality of relationships among the collection of nodes, features which are present in each of the amended independent claims. Moreover, in reference to claims 1, 19, 31, 40, and 41, *Papierniak* does not disclose tagging user data in accordance with the ontology. With respect to claims 47, 52, and 57, *Papierniak* makes no reference to content, which has been tagged in accordance with the ontology.

Accordingly, Applicants submit that independent claims 1, 19, 31, 40, 41, 52, and 57 are allowable over *Papierniak*, along with claims 2-7, 9-15, 18, 21-23, 26-30, 32, 33, 35-39, 43-45, 49, 50, 53, 56, and 59, which each ultimately depend from one of these independent claims. In addition, Applicants respectfully submit that newly added claims 60 and 61, which ultimately depend from claim 1, are allowable along with their base claim.

With respect to dependent claims 8, 25, 34, 42, 48, 55, and 58, the Action alleges that *Papierniak* discloses parsing, categorizing, indexing, and formatting collected data. Applicants respectfully traverse these rejections and request reconsideration and allowance of these claims. Claim 8 recites in part, "wherein the inferencing engine generates and outputs a list of weighted nodes." *Papierniak* does not even hint at either weighted nodes, or the generating and outputting of a list of weighted nodes. For this additional reason, Applicants submit that claim 8, and claims 25, 34, 48, 55, and 58 that include similar subject matter, are allowable over *Papierniak*.

#### *Claim Rejections under 35 U.S.C. § 103(a)*

Claims 20, 24, 51, and 54 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Papierniak* in view of the website [www.financialengines.com](http://www.financialengines.com), as archived at [www.archive.org](http://www.archive.org) on October 12, 1999 (hereinafter [financialengines.com](http://www.financialengines.com)). Claims 16 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Papierniak* in view of the website [www.medscape.com](http://www.medscape.com), as archived at [www.archive.org](http://www.archive.org) on February 29, 2000 (hereinafter [medscape.com](http://www.medscape.com)).

To establish *prima facie* obviousness, all the claim limitations must be taught or suggested by the references. MPEP § 2143.03. Applicants submit that dependent claims 16, 17, 20, 24, 51, and 54 are not taught or suggested by *Papierniak* for at least the same reasons as their respective base claims as set forth above. As neither website reference overcomes the

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deficiencies of *Papierniak* with respect to these claims, Applicants respectfully submit that claims 16, 17, 20, 24, 51, and 54 are allowable over the prior art of record.

### **CONCLUSION**

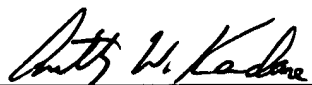
Applicants respectfully submit that claims 1-61 are presently in condition for allowance and a Notice to that effect is respectfully requested. Should the Examiner believe that further discussion and/or amendment would be helpful, the Examiner is respectfully invited to telephone Applicant's undersigned representative at the number listed below. Applicant hereby petitions for any extensions of time which may be required, except for payment of the issue fee. The Commissioner is hereby authorized to charge to deposit account number 19-0733 any fees necessary to maintain the pendency of the present application.

Respectfully submitted,

BANNER & WITCOFF, LTD.

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